



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/904,965	07/13/2001	Lisa Steury	40655.2200	3802
20322	7590	07/25/2006	EXAMINER	
SNELL & WILMER ONE ARIZONA CENTER 400 EAST VAN BUREN PHOENIX, AZ 85004-2202			SHEIKH, ASFAND M	
			ART UNIT	PAPER NUMBER
			3627	

DATE MAILED: 07/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/904,965

Applicant(s)

STEURY ET AL.

Examiner

Asfand M. Sheikh

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8, 10 and 17-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8, 10, and 17-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 3627

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8 May 2006 has been entered.

Take notice that the Examiner examining this application has changed to Examiner Asfand M. Sheikh. The group art unit has not changed and is still AU 3627.

In response to the Remarks/Arguments made on 8 May 2006, claims 1-6, 8, 10, and 17-22 are pending in the application. With amendments being made to claims 1, 3, 5, 6, and 17.

The Examiner establishes new grounds of rejection for claims 1-6, 8, 10, and 17-22.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 8 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. The term "fee reconciling information" in claim 8 is a relative term which renders the claim indefinite. The term "fee reconciling information" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. The Examiner will interpret "fee reconciling information" to be reconciling fees associated with the account.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the

Art Unit: 3627

invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claim 3 is rejected under 35 U.S.C. 102(e) as being anticipated by Acebo et al. United States Patent 6,023,679 (hereinafter Acebo).

As per claim 1, Examiner notes claim 1 is substantially similar to claim 3, and follows the same rejection. In addition the Examiner note Acebo disclose providing an enhanced descriptive billing statement, wherein said enhanced descriptive billing statement (i) recited said cost related to said travel-related transaction (ii) separately recites said fee (iii) recited indicia indicting that said fee and said cost are related to each other (col. 9 lines 66-67 and col. 10, lines 1-67; Examiner interprets "base fare" and "equivalent amount" would be an the cost and fee, respectively).

As per claim 2, Acebo discloses wherein said travel reservation system is a Computer Reservation System (col. 2, lines 51-55).

As per claim 3 and 17, Acebo discloses receiving a Passenger Name Record from a travel reservation system wherein said Passenger Name Record includes information that facilitates charging a fee associated with said travel-related information (col. 9, lines 29-38 and lines 66-67 and col. 10, lines 1-67; Examiner interprets that the PNR is related to the IMR (which is a parsed PNR) and would contain fee associated with said travel-related information); obtaining a user profile (col. 9, lines 1-10 and lines 29-38); and charging an account for a cost of said travel-related transaction (col. 9, lines 29-38 and lines 66-67 and col. 10, lines 1-67); determining said fee based upon said Passenger Name Record and said user profile (col. 9, lines 29-38 and lines 66-67 and col. 10, lines 1-67), wherein said fee represents an extra charge related to said travel related transaction in addition to said cost (col. 9, lines 66-67 and col. 10, lines 1-67; Examiner interprets "base fare" and "equivalent amount" would be an the cost and fee, respectively); charging said fee to said account, wherein said receiving establishing, determining, and charging steps are preformed by at least one computer (col. 9, lines 29-38 and lines 66-67 and col. 10, lines 1-67).

As per claim 4, Acebo discloses wherein said fee is charged to an account associated with said user profile (col. 9, lines 1-10 and 29-38 and lines 66-67 and col. 10, lines 1-67).

As per claim 5, Acebo discloses further comprising the step of providing a portion of said Passenger Name Record to a management information system for providing periodic enhanced descriptive billing statements (col. 12, lines 4-9 and col. 13, lines 6-15; col. 14, lines 19-33; FIG. 16; "Branch_STP_CD" would show indicate location and further the Examiner interprets "CRS is connected to braches A, B, C, D" would show that anyone could access the record any agent (including main office (e.g. management)) to view descriptive billing statements).

As per claim 6, Acebo discloses further comprising the step of formatting said Passenger Name Record in a Passenger Name Record format (col. 9, lines 66-67 and col. 10, lines 1-67).

As per claim 8, Acebo discloses further comprising the step of providing said account with fee reconciling information (col. 11, lines 53-62 and col. 12, lines 4-9 and lines 27-43; Examiner interprets "any detailed information will be located in a

Art Unit: 3627

corresponding detail table, subclass table..." would be reconciling all data which would be displayed to a user).

As per claim 10 and 22, Acebo discloses a digital storage medium having instructions stored thereon configured to execute the method of claim 1 (col. 11, lines 23-35).

As per claim 18, Acebo discloses further comprising the step of facilitating the enhancement of a billing statement with fee reconciliation information (col. 11, lines 53-62; col. 12, lines 4-9 and lines 27-43; and col. 13, lines 6-15; col. 14, lines 19-33; FIG. 16).

As per claim 19, Acebo discloses further comprising the step of providing a credit entity with fee reconciliation information (col. 11, lines 53-62; col. 12, lines 4-9 and lines 27-43; and col. 13, lines 6-15; col. 14, lines 19-33; FIG. 16).

As per claim 21, Acebo discloses further comprising the steps of providing data to a management information system for providing said facilitating entity with periodic reports; and providing at least some of said Passenger Name Record to said management information system (col. 11, lines 53-62; col. 12,

Art Unit: 3627

lines 4-9 and lines 27-43; and col. 13, lines 6-15; col. 14, lines 19-33; FIG. 16).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claim 20 rejected under 35 U.S.C. 103(a) as being unpatentable over Acebo et al. United States Patent 6,023,679 (hereinafter Acebo).

As per claim 20, Acebo fails to explicitly disclose further comprising the step of charging said fee to a different account than the account used to charge for the cost of said travel-related purchase.

However the Examiner takes official notice that it is old and well known in the art to charge different items to different accounts.

It would have been obvious to one skilled in the art at the time the invention was made to modify the teachings of Acebo to include further comprising the step of charging said fee to a different account than the account used to charge for the cost of said travel-related purchase as taught by the Official Notice. The motivation to combine would provide the user with additional flexibility with purchasing.

Response to Arguments

1. Applicant's arguments with respect to claims 1-6, 8, 10, and 17-22 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Asfand M. Sheikh whose telephone number is (571) 272-1466. The examiner can normally be reached on M-F 8a-4:30p.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander G. Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Art Unit: 3627

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call (800) 786-9199 (IN USA OR CANADA) or (571) 272-1000.

Asfand M Sheikh
Examiner
Art Unit 3627

ams



James Kramer
7/19/08